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Attorneys for Defendants

9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11 OAKLAND DIVISION  
12

13 GURMIT SINGH, JATINDERBIR SINGH, )  
14 AMANBIR SINGH, AND GURINDERBIR )  
SINGH, )

No. 09-cv-4759 CW

15 Plaintiffs, )

**JOINT STIPULATION OF  
VOLUNTARY DISMISSAL**

16 v. )

17 )  
18 EMILIA BARDINI, Director, San Francisco )  
Asylum Office, United States Citizenship )  
19 and Immigration Services; ALEJANDRO )  
MAYORKAS, Director, United States )  
20 Citizenship and Immigration Services; )  
JANET NAPOLITANO, Secretary, )  
21 Department of Homeland Security; ERIC )  
H. HOLDER, JR., Attorney General, )

22 Defendants. )  
23

24 **TO THE COURT, ALL PARTIES, AND COUNSEL OF RECORD:**

25 The parties hereby stipulate and agree as follows:

26 Plaintiffs Gurmit Singh, Jatinderbir Singh, Amanbir Singh, and Gurinderbir Singh agree  
27 to the stipulated voluntary dismissal of the above-captioned matter, pursuant to the conditions  
28 that follow:

Joint Stipulation of Voluntary Dismissal  
09-cv-4759-CW

1 WHEREAS, on June 15, 2009, Defendant United States Citizenship and Immigration  
2 Services (USCIS") issued a Notice of Termination of Asylum Status ("Notice"). The Notice  
3 stated, *inter alia*, that the asylum status of Plaintiff Gurmit Singh, as the principal asylum  
4 applicant, was terminated. The Notice further stated that termination of asylum status of a  
5 principal applicant results in the termination of asylum status of any children whose asylum  
6 status was derived from the approval of the principal's asylum status;

7 WHEREAS, on October 6, 2009, Plaintiff Gurmit Singh, a Legal Permanent Resident,  
8 and his three sons, Plaintiffs Jatinderbir Singh, Amanbir Singh, and Gurinderbir Singh, filed the  
9 instant action, seeking to enjoin USCIS from enforcing the Notice;

10 WHEREAS, pursuant to *Robledo-Pastora v. Holder*, 567 F.3d 437, 446 (9th Cir. May 27,  
11 2009), once an alien becomes a lawful permanent resident, the alien is no longer an asylee and  
12 thus is "no longer covered by the statutory and regulatory provisions concerning formal  
13 termination of asylum status." *Id.*;

14 WHEREAS, Plaintiff Gurmit Singh had already adjusted his status to that of a Legal  
15 Permanent Resident on April 20, 2005, prior to the date that the Notice was issued, Plaintiff  
16 Gurmit Singh was no longer an asylee and the Notice had no legal effect upon Plaintiff Gurmit  
17 Singh's asylee status;

18 WHEREAS, the asylum status of Plaintiff Gurmit Singh, as the principal applicant, was  
19 not terminated by the June 15, 2009, Notice, the asylum status of Plaintiff Gurmit Singh's three  
20 sons Plaintiffs Jatinderbir Singh, Amanbir Singh, and Gurinderbir Singh, remained intact and did  
21 not terminate as of this Notice, as their asylum status derived from the principal's asylum status;

22 WHEREAS, Plaintiff Gurmit Singh's three sons Plaintiffs Jatinderbir Singh, Amanbir  
23 Singh, and Gurinderbir Singh, continue to maintain their asylum status at this time.

24 NOW, THEREFORE, it is hereby STIPULATED AND AGREED, by and among the  
25 parties to this Stipulation, through their respective attorneys, that

26 1. Under *Robledo-Pastora*, the Notice had no legal effect upon the asylee status of  
27 Plaintiffs Gurmit Singh, Jatinderbir Singh, Amanbir Singh, and Gurinderbir Singh. Plaintiffs  
28 Jatinderbir Singh, Amanbir Singh, and Gurinderbir Singh remain asylees at this time.

2. USCIS will place a copy of this dismissal stipulation in each Plaintiff's file.  
USCIS agrees to this condition in order to avoid unnecessarily protracting this litigation.

3. Plaintiffs will not seek attorney's fees or costs under the Equal Access to Justice Act, or any other provision of law, associated with the above-captioned matter. Each party will bear its own fees and costs.

DATED: December 8, 2009.

/s/ Jonathan M. Kaufman  
JONATHAN M. KAUFMAN

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Attorney for Plaintiffs

DATED: December 8, 2009.

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/s/ Sherease Pratt  
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Attorneys for Defendants

### ORDER

Based upon the stipulation of the parties, IT IS HEREBY ORDERED that the Complaint is dismissed.

SO ORDERED.

Date: December <sup>16</sup>\_\_\_\_, 2009.



CLAUDIA WILKEN  
United States District Judge

<sup>1</sup> I, Sherease Pratt, hereby attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/s/) within this e-filed document.